

REPORT OF THE ANNAPOLIS GOVERNMENTAL STRUCTURE
AND CHARTER REVISION COMMISSION

September 9, 1996

INTRODUCTION

The Annapolis City Council created the Annapolis Governmental Structure and Charter Revision Commission by passing Resolution R-9-96 Amended on March 20, 1996. (Appendix A). Each alderman selected a citizen from his or her ward to serve on the Commission with Mayor Alfred Hopkins having an at-large selection. Commission members received notification of their appointments in April, 1996 and first met on May 16, 1996. At this meeting, Richard Duden, was elected chairman, Thomas Hunt vice-chairman, and Gerald Van De Velde secretary. A brief biography of the Commission members is attached as Appendix B.

The Commission reviewed a variety of documents in performing its mandate, including the City Charter, the Annapolis Chamber of Commerce City Management Task Force Report, reports from prior governmental committees, and a variety of summaries of various forms of city government.

The Commission invited selected experts to meet with it and discuss their experiences and opinions about the various types of City government. (A list of those experts appears in Appendix C). The Commission also actively sought information from other citizens. In addition to meeting publicly, the Commission held two public forums. These forums, held at the Eastport Fire Department on July 11, 1996 and at Germantown Elementary School on July 16, 1996 were publicized in local newspapers, and on the internet, TV and radio. Their purpose was to provide information

and to solicit public opinion on whether the Annapolis government should be restructured. The format consisted of an introduction by Commission chair Richard Duden, Esquire; an explanation of forms of city government by Steve McHenry of the Maryland Municipal League; an explanation of the current structure of Annapolis government by Fred Sussman, Esquire, former Annapolis City attorney; a presentation advocating the City Manager form of government by Walt Scheiber, former President of the International City and County Management Association; and a presentation advocating the "Strong Mayor" form of government by Ron Young, former four-term Mayor of the City of Frederick, Maryland. (NOTE: At the second public forum, Rose Thorman of the Commission substituted for Ron Young because of his unavailability.) A question and answer period followed. The forums closed with a period set aside for public comments. (A list of those members of the public who spoke at the meetings appears in Appendix D.)

The Commission invited various local and national experts to meet at their regular meetings in the City Council Chamber and discuss their experiences and opinions about the various types of government. All city department heads were invited to meet with the Commission in open session or privately. Only Department of Personnel Director Chuck Davis accepted this offer; City Attorney Paul Goetzke contacted the chair but was unable to meet with the whole Commission. The Mayor and Aldermen were also invited to share their opinions with the Commission. Mayor

Hopkins, Aldermen DeGraff, Snowden, Moyer and Turner appeared. Aldermen Gilmer, DeGraff and Hammond each attended a public forum. Aldermen Tullier expressed regrets that scheduling conflicts prevented him from appearing within the Commission's time frame.

DISCUSSION AND RECOMMENDATIONS

Municipal government should be organized so that it is representative of and responsive to the people it serves; the services provided by government should be determined by open political discourse and should be rendered as efficiently as possible. In considering revisions to the City's governmental structure and Charter, these principals guided the Commission.

The Commission analyzed a number of issues in pondering changes to the Charter. The Commission's attention was especially focused on what prior published reports and present public input stressed as the four most often discussed questions: (1) Should the Mayor have veto power over legislation? (2) Is it desirable to have the City managed by a "City Manager"? (3) If not, what role, if any, should the existing position of "City Administrator" play in the management of the City? (4) What is the proper role of City Council in City management? The Commission's positions and recommendations on these issues will be discussed in order. The Commission also considered various other matters relating to the improvement of City government, and its recommendations in these areas will be presented at the conclusion of this report.

1. The Mayoral Veto.

The fact that the City Charter grants the Mayor no veto power over Council legislation has resulted in an unfortunate mischaracterization of the City as having a "Weak Mayor" government. This misleading term may have affected public perceptions and discussion on this issue. It should be recognized that the term "Weak Mayor" is no more than municipal shorthand for "no veto" and should not be held to imply that the Mayor has "no power". After all, long time Chicago Mayor Richard Daley did not have veto power, and he is remembered as one of the most powerful mayors in history.

In Annapolis, even without a veto, the Mayor wields considerable power. Unlike the Aldermen, the Mayor is a fulltime employee. The Mayor as a member of the City Council, sets the agendas, and presides over the Council meetings. The Mayor also has the power to call special Council sessions. As Chief Executive and Chief Administrative Officer, the Mayor is responsible for the day to day operations of the City government. With the approval of a Council majority, the Mayor appoints all Department heads, who then serve at the Mayor's pleasure. The Mayor also prepares the annual operating and capital budgets.

In contemplating the institution of a Mayoral veto through Charter revision, two main options were considered: the conferral of a veto in the framework of a pure "Strong Mayor"/separation of powers system, or the addition of veto power to the current governmental structure where the Mayor sits with the Council.

Pure "Strong Mayor" government features separation of powers between the executive and legislative branches, as with the federal government, the State of Maryland, and Anne Arundel County. Under such an arrangement, the Mayor would cease to be a member of the City Council. The Commission did not feel that such separation would be desirable in the context of the City's government. Having the Mayor sit with the Aldermen impels closer communication between the two branches, gives the Mayor a leading role in the Council's legislative activities, and allows the Mayor to serve as a pipeline to the Department heads for Council concerns. The Commission feels these characteristics should be maintained.

The Commission also considered whether a veto should be granted to the Mayor within the current Annapolis framework. The Commission was satisfied that the Charter provides the office of Mayor with enough power and influence over city policies and operations that a Mayoral veto is not a necessary, or desirable, augmentation. The Mayor's current status as "first among equals" on the Council is an arrangement that allows all policies to be heard on a level playing field, promoting fairness and deliberate consideration of all viewpoints.

The Commission, therefore, recommends:

REC. 1A: That the Charter NOT be revised to change the Mayor's role in relation to the City Council, and that the Mayor NOT be given veto power.

2. City Manager.

The major benefit of having a City Manager is the assurance that a growing and increasingly complex municipal system will be run by a professional administrator. With a City Manager, the office of Mayor might be reduced to part-time and the Mayor's salary cut. The City Manager, by virtue of his or her training and experience, would assume the responsibility for implementing the policies of the Council through the day-to-day operation of the City. The management of the City would no longer be subject to the whim and vagaries of the electoral winds, or to the "pot luck" character of Mayoral election results every four years.

On the other hand, there is concern that a City Manager represents a new and problematic layer of bureaucracy in government. A City Manager would serve at the pleasure of a majority of the Council. Thus, in performing duties that affect each and every one of the municipality's citizens, the Manager may be more concerned with pleasing the bosses - a councilmanic majority - than with serving the citizenry. (Of course, this argument could be made with regard to any current City department head.)

The goal of efficient professional management, while compelling, did not outweigh a majority of the Commission's preference for direct representational government. The Commission's majority does not feel that the time is ripe for a City Manager in Annapolis.

Under the Charter, the Mayor is the only official elected in a city-wide vote, as Aldermanic elections are confined to their

respective wards. The Mayor, therefore, can truly be said to be the only official charged with representing the interests of the entire electorate. This is obviously a significant attribute of the Mayor's post in the overall governmental framework. As the government is now structured, the official who is directly elected by voters city-wide, the Mayor, has direct responsibility for City operations. A majority of the Commission believes that representative government would be unduly diluted with the installation of a City Manager, who might be someone without any previous ties to or knowledge of the unique heritage, people and traditions of Annapolis, and who also might be someone who did not work well with the Mayor.

In rejecting a City Manager, the Commission does not ignore legitimate concerns that have led to calls for having the government managed in this manner. The majority does feel, however, that less drastic means of addressing these issues should be attempted before considering a Charter revision of such magnitude. To this end, the Commission has made its recommendations on the City Administrator position, elsewhere in this report.

With respect to the concern expressed by City Manager proponents that City operations are currently too political, the noninterference provisions proposed elsewhere in this report may serve to meet some of those concerns. As a practical matter however, it must be realized that with or without a City Manager, politics will always play a prominent role in the machinations of

government. The employment of a City Manager would merely change the political dynamic; it would not and could not eradicate it.

The Commission, therefore, recommends:

REC. 2A: That the Charter NOT be revised to provide for the institution of a City Manager.

3. The City Council.

Article IV of the Charter states that the City Council "shall be the legislative body of the city of Annapolis vested with the power to enact laws." Nowhere does the Charter provide for Council involvement in City operations. Yet, during the course of this study the Commission heard complaints that Aldermen, as individuals and collectively, often attempt to micro-manage the activities of various City Departments. This involvement was reported as extensive in some departments while minimal in others. High profile departments such as Planning and Zoning and Public Works seemed to receive the most aldermanic attention. This practice has sometimes resulted in Department heads receiving conflicting directives from individual Aldermen and the Mayor's office.

During the study, it became evident that in actual practice, no clear lines of authority and control exist between the Department heads, the Council, and the Mayor's Office. As noted, the City Charter states that the Mayor is the chief executive and chief administrative officer of the City. However, real lines of authority seem to meander back and forth from the Mayor's office to the various members of the City Council and to

the City Council Committees, with each group and/or individual asserting their own brand of influence on departmental activities. This situation should be corrected.

In general, an Alderman should engage in no individual action or activity related to administrative matters. All interaction with City employees, other than for the purpose of inquiry, should be conducted through the Mayor or those to whom the Mayor may designate this responsibility. Aldermen are not elected to "run" the City but to set policy and make sure that the policy is implemented.

Therefore, the Commission recommends:

REC. 3A: Aldermen should not be allowed to interfere unilaterally with the administrative affairs of the City. Accordingly, the Charter should be amended to include a provision similar to Section 309 of the Anne Arundel County Charter (Appendix E) which prohibits a member of the County Council from being involved in personnel matters or from giving direction to employees, and includes civil penalties for violations.

* * *

Moreover, it is the consensus of the Commission that the City Council spends far too much time reviewing building/zoning/subdivision issues. These issues dominate already crowded Council meeting agendas and take up the lion's share of valuable and precious Council meeting time. The Commission has identified several ways which Chapters 20 and 21 of the Code of the City of Annapolis should be amended so that

the City Council is not required to spend so much time reviewing building/zoning/subdivision issues. Indeed, in two instances, the recommended changes would make the City's process consistent with Article 66B of the Annotated Code of Maryland, the authority for the City's exercise of zoning powers. Specifically, the Commission recommends:

REC. 3B: Consistent with Article 66B, Section 4.07(D)(2) of the Maryland Code, "Conditional Uses" should be approved by the Board of Appeals instead of by the City Council.

REC. 3C: "Conditional Uses" should be identified as "Special Exceptions" consistent with the practice throughout Maryland and in order to emphasize that this process is intended for "exceptions" to uses allowed in a zoning district and not for routine matters.

REC. 3D: The list of uses presently permitted in the zoning code, only as "conditional uses" (or, as suggested above, "special exceptions"), in the various zoning districts could be dramatically reduced and replaced wherever possible with an administrative design review and traffic impact analysis by the Department of Planning and Zoning. It is interesting to note that this recommendation is virtually word-for-word contained in Section V.E. of the Comprehensive Plan for Annapolis adopted by the City Council on May 13, 1985. While the Commission recognizes that substantial progress has been made by City Council in implementing this previously made recommendation, the Commission believes that a great deal more can be done.

REC. 3E: Consistent with Article 66B, Section 5.02, subdivision plats should be approved by the Planning Commission, instead of by City Council.

If the above listed recommendations were all implemented, City Council's involvement in building/zoning/subdivision matters would be substantially reduced and the City's process would be consistent with Article 66B of the Annotated Code of Maryland. Further, abundant City Council meeting time would be freed up to consider legislation in other areas.

* * *

In addition, the Commission is not persuaded that the Council Committee system is necessary. The primary function of these Committees is to review proposed ordinances before they are considered and acted upon by the entire council. City budgets, housing issues, economic issues, and even public safety issues must make their way through the various Committees prior to being addressed by the entire City Council. The committees modify (or propose modifications to) and/or influence legislation. Membership in each of these Committees is limited to three Aldermen; therefore, in some cases, two of three Committee members, if they wish, can significantly manipulate and/or stall proposed legislation.

It is the consensus of the Commission that it is redundant and inefficient for legislation to be reviewed by 3-person Committees prior to review and consideration by a 9-person Council. The Commission believes that the Council is small

enough that it can take up legislation as a whole. Further, the Commission understands that often staff is required to appear both before Committees and subsequently before the entire Council with respect to proposed legislation. Obviously, this procedure is burdensome, redundant, and inefficient. To the extent public input is desirable on any proposed ordinance, it should be offered at a public hearing before the entire Council. For these reasons, the Commission feels that legislative economy and public discourse would be better served if all City Council Committees were eliminated.

Accordingly, the Committee recommends:

REC. 3F: A City Council committees should be abolished and all business should be conducted by the Council as a whole.

* * *

Finally, the Commission considered whether the City government would be more efficient with 4 aldermanic districts in lieu of the present 8. Under this apportionment, each Alderman would represent approximately 8500 citizens instead of the current 4200. With more constituents and with a broader geographical area, it was suggested that the interests of the aldermen might be broader and that they would take a wider view of municipal issues. It was pointed out that such representation would be consistent with other Maryland cities, i.e., Bowie, (7200), Cumberland (5803), Frederick (9100), Gaithersburg (9400), and Rockville (11800). Proponents felt that aldermen might be less subject to the influence of small interest groups and that,

with fewer aldermen, time and money would be saved directly by the City and by those who deal with the City. After deliberation, the Commission declined to adopt this proposal as a recommendation but felt that it should be brought to the Council's attention as a future possibility.

4. The Mayor and the City Administrator.

Currently, the City Charter, Article VI, Section 1 states that "the Mayor shall be the chief executive and chief administrative officer of the City." As the City has grown, this mandate has increased demands for managerial skills. As a consequence, since 1973 Mayors have sought assistance in executing the administrative duties of the office. The current post of City Administrator has evolved as a direct result of the growing complexities of running the City day to day.

A Mayoral aide position was established during the Apostol administration, and continued through the Hillman administration under the label of "Assistant to the Mayor." The position came to be called "City Administrator" during Mayor Callahan's term, with an increased salary. The Hopkins administration has retained the post, and the salary has been increased again.

Neither a City Administrator nor an Assistant to the Mayor is provided for in the Charter. The job is ad hoc, with all duties as assigned by the Mayor. This has caused substantial and unnecessary confusion in the conduct of City operations, as no clear lines of authority exist from the Mayor to the City Administrator to the various department heads. More than once

the Commission heard of instances where a Mayor and City Administrator gave conflicting directives to the same department head. This problem can be minimized if the position and authority of the City Administrator is clearly defined.

The Commission believes that it is appropriate for the Mayor of a municipality the size and complexity of Annapolis to choose a City Administrator to help administer the government and prepare the budget. However, the Commission feels strongly that the duties and responsibilities of the position should be clearly set forth and that the individual selected to fill it should have a solid management background.

The City Administrator should be the Chief Administrative Officer of the City, report directly to the Mayor, and serve as the immediate supervisor of each department head. The City Administrator should be appointed by the Mayor with the approval of a majority of the City Council and, like the other department heads, should serve at the pleasure of the Mayor. The duties of the position should be clearly set forth in the Charter and include directing the activities of all City departments and supervising the preparation of a budget.

Therefore, the Commission recommends the following:

REC. 4A: The Charter should be revised so that the Mayor is no longer the "Chief Administrative Officer" of the City, but remains the "Chief Executive Officer" of the City.

REC. 4B: The Charter should be revised to include a "City Administrator" position and to provide for the selection, qualifications, and duties of the position.

* * *

The Charter currently is silent about a number of duties and responsibilities which citizens commonly believe a Mayor should fulfill. The Commission finds that it is important to reduce these beliefs to writing in order that Annapolitans in general and prospective mayoral candidates and City Aldermen in particular are not mistaken about the role the Mayor is to play. Article V, Section 2 of the Charter now reads:

Sec. 2. Powers and duties.

The mayor may take the acknowledgement of any deed or instrument; shall sign all ordinances, charter amendments, resolutions and instruments; shall cause to be prepared no later than the 30th day of October an audited statement of the finances of the city as of the end of the preceding fiscal year; may call upon any officer of the city entrusted with receipt and expenditure of public money for a statement of the officer's account; and shall see that the action of the city council is duly and faithfully executed.

REC 4C: The Commission recommends that Article 5, Section 2 of the Charter be revised to include the following powers and duties:

- a. Advocate plans which will address future demands for municipal services, enhance the quality of life, and strengthen the economic vitality of the city.
- b. Be the principal representative of the city for all official and ceremonial purposes.

c. Report to the city council periodically but no less than annually on the state of the city, its finances, and administrative activities.

d. Develop and maintain intergovernmental relationships which will ensure that long range planning visions, goals and objectives of the city are fulfilled.

5. Other Matters.

The Commission also considered several other proposals and recommends the following:

REC. 5A.: Abolition of Mayor's Term Limitation

At present at Mayor may seek only two consecutive terms while no such limit applies to Aldermen. Consequently, a Mayor elected to a second consecutive term becomes a "lame duck" at the time of the second inauguration. The Mayor's power progressively erodes during the second term and the customary democratic relationship which exists between a public official who must stand for re-election at the end of a term and the official's constituents is skewed if it exists at all. That an electorate in a democratic society trusts itself so little that it has to limit its ability to retain desirable officials is peculiar at best. The City remains small enough so that the mere weight of incumbency should be insufficient to perpetuate an undesirable official in office. The Charter should be amended to remove the Mayor's term limitation.

REC. 5B: Executive Budget

The process of preparing budgets has become quite intricate and time consuming. In the City's case it begins in late fall and does not culminate until the budget is presented to the City Council in mid-spring. Currently, the Council's Finance Committee and the Council itself have unlimited authority to revise, reshape, and augment the budget. The practice utilized by the State of Maryland and by Anne Arundel County whereby the administration's budget is reviewed by the legislative body and may be reduced but not increased is a practice which the City should emulate. The City Code was amended recently to address this issue. However, a requirement so basic as this one should be in the Charter. The Charter should be amended to clarify that it is the administration's budget which goes to the City Council for its consideration and action thereon. Furthermore, the City Council as a whole should conduct any public hearings which are held on the budget.

REC. 5C: Nonpartisan elections

Neither of the two principal national political parties has platforms which govern how municipal governments should be governed. Few, if any City issues are determined by partisan philosophical principles yet many appear to be resolved by personal partisan considerations instead of on the basis of the welfare of all the citizens without regard to party affiliation. Of Maryland's 156 municipalities, only Frederick and Annapolis conduct elections in this manner and Annapolis is the only city

with its own party central committees. Nonpartisan elections may attract candidates whose interests exclusively relate to the welfare of the City rather to pursuing further political office. Under a nonpartisan election procedure which would be authorized by amending the City's Charter and Code, candidates would vie for the position of mayor or one of the aldermanic positions in the same manner as currently. The election could be held in mid-September just as the City's current primary is conducted. The candidate receiving 50 percent or more of the votes cast would be elected mayor or alderman, as the case may be. If no one received such a majority, then a run-off election would be held between the candidates receiving the two highest vote totals. This election could be held in early November just as the city's current general election is scheduled. The central committees would be abolished and all reference to partisanship in the City Charter and Code would be stricken.

REC. 5D: Recall

One manner of keeping an elected official focused on fulfilling the duties of office responsibly and responsively is to grant to the voters the right to recall the official, a right which Annapolitans presently do not enjoy. In this manner neither the official nor the official's constituents will turn their backs on the electoral process for the four years between regular municipal elections. Twenty percent of the voters of the City in the case of the Mayor and of a ward in the case of the Alderman representing that ward would have the right to file a

recall petition. Upon the certification of the petition the City Council would have to schedule a special election. The question would be whether the voters wish to retain or to recall the official. If the official is recalled, the vacant position would be filled in the same manner as if the position became vacant through resignation, death, incapacity, criminal conviction, etc. (NOTE: Of selected other Maryland municipalities which have recall, the petition requirements are: Brunswick - 25% of those who voted in the last election, Cheverly - 30% of registered voters, Kensington - 30% of registered voters, LaPlata - 20% of registered voters, Laurel - 20% of registered voters, Riverdale - 25% of registered voters, Rockville - 20% of registered voters, Salisbury - 30% of registered voters, and Takoma Park - 25% of registered voters.)

REC. 5E: Periodic Charter Review.

For the past thirty years there appears to have been a periodic need to examine the structure and workings of municipal government in Annapolis. These examinations have been ad hoc and citizen-initiated. The examinations have resulted in changes in each instance. The City should institutionalize the process by amending the Charter to provide formally for the appointment of a "Governmental Structure and Charter Revision Commission" at no fewer than ten year intervals. Perhaps the timing of the appointment of the commission could coincide with the report of the federal decennial census and the perhaps the requirement contained in the City Code to appoint a body to make ward line

redistricting recommendations could be combined with the duties of the charter commission. The number of members of the charter commission would be equal to the number of members of the City Council.

SUMMARY OF RECOMMENDATIONS

REC. 1A: That the Charter not be revised to change the Mayor's role with regard to the City Council or to give the Mayor a veto.

REC. 2A: That the Charter not be revised to provide for the institution of a City Manager.

REC. 3A: That the Charter be revised to prohibit Alderman from interfering in the administration of the City.

REC. 3B: That the City Code be revised to transfer conditional use approval authority from the City Council to the Board of Appeals.

REC. 3C: That the City Code be revised so that "conditional uses: would be called "special exceptions".

REC. 3D: That the City Code be revised to reduce the number of conditional uses and broaden the authority of the Planning and Zoning Director to approve generic permitted uses.

REC. 3E: That the City Code be revised to transfer subdivision plat approval authority from the City Council to the Planning Commission.

REC. 3F: That City Council committees be abolished and all business be required to be conducted by the Council as a whole.

REC. 4A: That the Charter be revised to eliminate the

reference to the Mayor as "Chief Administrative Officer."

REC. 4B: That the Charter be revised to include the existing City Administrator position to be designated as the "Chief Administrative Officer" setting forth the manner of appointment, duties, and qualifications.

REC. 4C: That the Charter be revised to specify additional duties for the Mayor.

REC. 5A: That the Charter be revised to eliminate the term limitation for the Mayor.

REC. 5B: That the Charter be revised to provide for an executive budget system.

REC. 5C: That the Charter be revised to provide for non-partisan elections for Mayor and Aldermen.

REC. 5D: That the Charter be revised to grant the right of recall of the Mayor or any Alderman to the voters.

REC. 5E: That the Charter be revised to formalize a periodic review of the structure of City government.

CONCLUSION

This report represents the final product of the Commissions' 14 meetings and 2 public forums. The resulting recommendations are offered in the hope that they will improve the efficiency and responsiveness of Annapolis government. In reaching its conclusions, the Commission gave great care to concentrate on processes, not personalities.

List of Appendices

- A. R-9-96 Amended
- B. Biographies of members of the Commission
- C. List of experts
- D. List of members of the general public
- E. Anne Arundel County Charter, Section 309

CITY COUNCIL OF THE CITY OF ANNAPOLIS

RESOLUTION NO. R-9-96 AMENDED (Reconsidered 3/20/96)

SPONSORED BY: ALDERMAN SNOWDEN
ALDERMAN MOYER

A RESOLUTION concerning

ANNAPOLIS GOVERNMENTAL STRUCTURE AND CHARTER REVISION COMMISSION

FOR the purpose of creating a commission to study and to offer a public forum for proposals to alter the form of government of the City of Annapolis; and all matters relating to said commission.

WHEREAS, the current structure of the City of Annapolis government is a form commonly known as a "weak mayoral" form; and

WHEREAS, many citizens in Annapolis have expressed the view that the current structure of the City government is in certain regards unsatisfactory; and

WHEREAS, there are currently active proposals by private groups to amend the Charter to provide for a "city manager" form of government and a "strong mayoral" form of government; and

WHEREAS, it is the desire of the City Council to provide a forum whereby the various forms of government may be studied, debated and considered in an open public forum, providing opportunities for the public to comment and to express their views.

NOW THEREFORE BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the City of Annapolis Government Structure and Charter Revision Commission be and the same is hereby created.

AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the purpose of the Commission is to study the current structure of the City of Annapolis government and alternative structures of municipal government and to provide a forum whereby the various forms of municipal government may be studied, debated and

considered in an open public forum providing, opportunities for the public to comment and to express their views and to consider appropriate charter revisions.

AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that in support of those purposes:

1. The Commission shall consist of ~~seven~~ nine members who shall be residents of the City;
2. Each member of the Commission shall be appointed by the Mayor within thirty days of the date of this Resolution;
3. All members of the Commission shall be persons who have a professional background or experience and interest commensurate with issues related to the structure and forms of government;
4. The term of all members of the Commission shall end with the publication of its report, referred to below;
5. The members of the Commission shall serve without compensation;
6. In the event of a vacancy on the Commission, the vacancy shall be filled in the same manner as the original appointments;
7. The members of the Commission shall elect from among their membership a chair, vice chair and secretary;
8. The Commission shall meet publicly in the City Council Chambers at least once per month and, where feasible, in each Ward and shall at each meeting take testimony from the public;
9. The business of the Commission shall be conducted consistent with the provisions of Robert's Rules of Order (9th Edition).

AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the Commission shall issue a report of its findings to the Annapolis City Council not later than ~~September 1, 1996~~ September 9, 1996.

ADOPTED this 20th day of March, 1996.

ATTEST:

THE ANNAPOLIS CITY COUNCIL


Patricia L. Bembe, CMC/AAE

BY: 
ALFRED A. HOPKINS, MAYOR

Appendix B

Biographies of members of the Commission

Chairman Richard Duden is a life-long resident of the City of Annapolis. He is a 1973 graduate of Annapolis Senior High School; a 1977 graduate of the University of Virginia; and a 1984 graduate of the University of Maryland School of Law. Mr. Duden is a former Assistant State's Attorney for Anne Arundel County. Currently, he is a solo practitioner, specializing in criminal law, personal injury, and worker's compensation, with an office in downtown Annapolis. His wife, Nancy, is an attorney. They have two children - Rachel, age 6, and Hank, age 4. Mr. Duden is a resident of Ward 7.

Vice-Chairman Thomas Hunt is a thirty two year resident of the City of Annapolis. He is a graduate of Morgan State University and has done extensive graduate work at George Washington University, among other post-graduate studies. Mr. Hunt has over thirty years of federal government service, particularly in the fields of program management and administration, for which he has received numerous awards and commendations. He retired in 1995. Currently, he is a management consultant in his own firm, The Champs Associates. Also, he participates in civic and community (volunteer) activities. His wife, Mary, is a retired Anne Arundel County educator. They have one adult daughter. Mr. Hunt is a resident of Ward 2 and has been for twenty-seven years.

Secretary Gerald Van De Velde has been a resident of the City of Annapolis for three years. He is a graduate of Oakland University in Michigan. Mr. Van De Velde is a Certified Public Accountant. Currently, he is the Chief Financial Officer and Partner in an advertising agency in Washington, D.C. and has been for fifteen years. He and his wife Rene own a bed and breakfast in the City. Mr. Van De Velde is a resident of Ward 1.

Rhonda Pindell Charles is a life-long resident of the City of Annapolis. She is a 1972 graduate of Annapolis Senior High School; a 1976 graduate of Morgan State University; and a 1979 graduate of the University of Maryland School of Law. Mrs. Charles formerly served as an Assistant Attorney General for the Department of Natural Resources in Annapolis. Currently, she is an Assistant State's Attorney for Baltimore City and has been since 1983. Mrs. Charles is heavily involved in and has done extensive volunteer work in the church, and in her community, especially in the area of educational issues and youth concerns. Her husband, Marvin, is an accountant. They have two children - Marvin, Jr., age 14, and Rishelle, almost 12. Mrs. Charles is a resident of Ward 3 and has been for forty years.

Thomas E. Davis, III has been a resident of the City of Annapolis for seventeen years. He holds two Associate Degrees from Tidewater Community College in Portsmouth, Virginia. Mr. Davis was transferred to the United States Naval Academy, serving as an electrical officer at North Severn where he retired in 1982. Mr. Davis has worked at Westinghouse as a sub-contractor and for various defense organizations. Currently, he is employed

by JIL Information Systems, Inc., a sub-contractor to the Federal Aviation Administration. He and his wife, Sue, have one adult daughter. Mr. Davis is a resident of Ward 6 and has been for sixteen years.

Richard Hillman is a graduate of Annapolis High School; the Johns Hopkins University; and the University of Maryland School of Law. Mr. Hillman served as Mayor of the City of Annapolis from 1981-1985. Currently, he serves as the Manager of the Maryland Local Government Infrastructure Financing Program. Mr. Hillman has been involved in various civic projects and community organizations and issues over the years. His wife, Lisa, is a Vice President with the Anne Arundel Medical Center. They have two children - Heidi, age 22, and Jake, age 7. Mr. Hillman has been a resident of Ward 1 in all but 2 of his 53 years.

Bob Libson has been a resident of the City of Annapolis for 17 years. He is a graduate of Cornell University and the University of Pittsburgh School of Law. Mr. Libson is a real estate developer and has been doing business in the Annapolis area since 1973. He is responsible for building over 500 homes in Annapolis alone over the past 17 years and has completed some commercial development as well. His wife, Elizabeth (Bettze), is a teacher at The Key School in Annapolis. They have two children - Brad, age 14, and Brittany, age 11. Mr. Libson is a resident of Ward 5.

Paula (Polly) Peters moved to the City of Annapolis at the age of sixteen. She is a 1965 graduate of Annapolis High School; a 1969 graduate of the University of Maryland; and a 1978 graduate of the University of Baltimore School of Law. She did graduate work at the University of Maryland in Public Administration and State and Local Government. Ms. Peters is an attorney in private practice, specializing in civil litigation and family law, with an office in the City. Currently, she also is the Chair of the Family Law Section of the Maryland State Bar Association. Ms. Peters has one daughter, Rachel, a 1996 graduate of Annapolis High School. Ms. Peters is a resident of Ward 4 and has been since 1980.

Rose Thorman has been a resident of the City of Annapolis for nine years. She is a graduate of Drexel University and has done extensive graduate work at George Washington University. Mrs. Thorman has pursued professional careers in education, the media, the arts, and the federal government. Currently, she serves on various state and civic (volunteer) organizations in leadership capacities; and is a health educator. Mrs. Thorman's husband, Burton, is a retired attorney. They have three adult children and six grandchildren. Mrs. Thorman is a resident of Ward 8.

Appendix C

Experts appearing before the Commission

- I. William Tyler, Retired Finance Director, City of Annapolis
- II. Walter Scheiber, former President, International City and County Management Association
- III. Steve McHenry, Associate Director, Maryland Municipal League
- IV. Ron Young, former Mayor, City of Frederick
- V. Frederick C. Sussman, Esquire, former City Attorney, City of Annapolis
- VI. Jonathan Hodgson, Esquire, former City Attorney, City of Annapolis

Appendix D

Citizen speakers at the public forums

I. Public forum, Eastport Fire Department, July 11, 1996

Attendance: 28

Citizen Speakers:

Cynthia Eckard
James Conlin
Marcia Marshall
Helena Hunter
Reds Waldron
Mary Lou Pontius
Jack Carr
Heidi Cunningham
Peg Wallace
Ron Thomas
Fred Sussman
Tom Davies
Gil Renault
Dave Coburn
Rose Thorman

II. Public forum, Germantown Elementary School, July 16, 1996

Attendance: 24

Citizen Speakers:

Cynthia Eckard
Alderman Gilmer
Sherill Banks
Cynthia McBride
Thomas Roskelly
Herman Ellinghausen
Bill Stratton

— APPENDIX "E" —

Sec. 309. Noninterference with executive branch.

Neither the Council nor any of its members shall direct or request the appointment of any person to or his removal from any office or employment by the County Executive or by any of his subordinates or in any way take part in the appointment of or removal of officers and employees of the County except as specifically provided in this Charter. Except for the purpose of inquiry, the Council and its members shall deal with the executive branch solely through the County Executive, and neither the Council nor any member thereof shall give orders either publicly or privately to any subordinate of the County Executive. Any member of the Council violating the provisions of this section or voting for a motion, resolution or ordinance in violation of this section shall upon conviction be punishable by imprisonment for not more than six months or a fine of One Thousand Dollars (\$1,000.00). The violator shall thereafter cease to be a member of the Council.